

5/06/1035

Tom Munson - Sliver1-2

From: Tom Munson
To: ed_ginouves@blm.gov; ep7@xmission.com; Paul Baker
Date: 10/14/2008 4:04 PM
Subject: Sliver1-2

Hello Mr. Penney,

First, the Division appreciates your efforts at regrading the Independence claim and the Division now finds this regrading work acceptable. However, the site now needs to be seeded with a broadcast seeder with perennial adaptable species. Please document the seeding saving seed tags and taking pictures.

Mr. Truman has already given you permission to do the reclamation both in writing and verbally, so I see no problem with you completing this work. Actually, the law requires it.

The Existing disturbance under the Sliver1-2 permit or the Independence Claim(as you refer to it) is still not released from reclamation requirements. If you want to mine any additional areas, you will have to have less than five acres disturbance total or permit a large mine.

I have not received any formal submittal from you regarding a new disturbance, just a map you gave Ed Ginouves. Before the Division will approve any new disturbance the Division requires that a new Small Mine Permit be filled out showing all disturbance, new proposed disturbance, unreclaimed disturbance, and regraded areas. You can not be released from the regraded area until the vegetation has survived three growing seasons.

The following rules apply to you and anyone else:

Revegetation shall be considered accomplished when:

13.11. The revegetation has achieved 70 percent of the premining vegetative ground cover. If the premining vegetative ground cover of the disturbed area is unknown, then the ground cover of an adjacent undisturbed area that is representative of the premining conditions will be used as a standard. Also, the vegetation has survived three growing seasons following the last seeding, fertilization or irrigation, unless such practices are to continue as part of the postmining land use; or

13.12. The Division determines that the revegetation work has been satisfactorily completed within practical limits.

14. Where reseeding has occurred and the vegetation has survived one growing season, the reseeded area shall not be included for purposes of determining whether a mining operation is a small mining operation.

You will have to have seeded the regraded area and it needs to have survived one growing season for this acreage not to be counted towards your small mine disturbance.

The division will also be assessing you a re-seeding bond of \$5,000 for the regraded area in addition to any new disturbance permitted. The bonding requirements for the new area will be \$6,300(1st acre) and \$3,900(each additional acre) good for three years.

I hope this answers your questions but any questions regarding this matter please contact me at 801-538-5321 or Paul Baker at 801-538-5261.

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0008